

House File 295 - Introduced

HOUSE FILE _____
BY MASCHER

(COMPANION TO 2097SS BY
APPEL)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act modifying the time period after which certain school
2 district proposals defeated at election may be resubmitted to
3 the voters and providing an effective date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5 TLSB 2097HH 83

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1 1 Section 1. Section 75.1, subsection 2, Code 2009, is
1 2 amended to read as follows:

1 3 2. a. When a proposition to authorize an issuance of
1 4 bonds has been submitted to the electors under this section
1 5 and the proposal fails to gain approval by the required
1 6 percentage of votes, such proposal, or any proposal which
1 7 incorporates any portion of the defeated proposal, shall not
1 8 be submitted to the electors for a period of six months from
1 9 the date of such regular or special election and may only be
1 10 submitted on a date specified in section 39.2, subsection 4,
1 11 paragraph "a", "b", or "c", as applicable.

1 12 b. Notwithstanding the six-month time period in paragraph
1 13 "a", if a proposition is submitted on behalf of a school
1 14 district and the proposal fails to gain approval by the
1 15 required percentage of votes, such proposal, or any proposal
1 16 which incorporates any portion of the defeated proposal, shall
1 17 not be submitted to the electors until the date of the second
1 18 special election, as specified in section 39.2, subsection 4,
1 19 paragraph "c", following the election at which the proposal
1 20 was defeated or the date of the regular school election,
1 21 whichever is the earlier.

1 22 Sec. 2. Section 257.27, Code 2009, is amended to read as
1 23 follows:

1 24 257.27 CONTINUATION OF INSTRUCTIONAL SUPPORT PROGRAM.

1 25 1. At the expiration of the period for which the
1 26 instructional support program was adopted, the program may be
1 27 extended for a period of not exceeding five or ten years in
1 28 the manner provided in section 257.18.

1 29 2. If the voters do not approve adoption of the
1 30 instructional support program, ~~the board shall wait at least~~
~~1 31 one hundred twenty days following the election before taking~~
~~1 32 action to adopt the program or resubmit the a proposition to~~
1 33 approve the program shall not be submitted anew to the
1 34 registered voters of the school district, either by resolution
1 35 or petition, until the date of the second special election, as
2 1 specified in section 39.2, subsection 4, paragraph "c",
2 2 following the election at which the proposal was defeated or
2 3 the date of the regular school election, whichever is the
2 4 earlier.

2 5 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
2 6 immediate importance, takes effect upon enactment.

EXPLANATION

2 8 This bill makes changes relating to the time period after
2 9 which certain school district proposals defeated at election
2 10 may be resubmitted to the voters.

2 11 Under current law, if a proposal to issue bonded
2 12 indebtedness is defeated by the electorate, the proposition,
2 13 or any portion of the proposition, shall not be submitted to
2 14 the voters for six months following the date of the election
2 15 at which it was defeated. The bill provides that following
2 16 defeat at an election of a school district bond issuance, the

2 17 same or similar proposition shall not be submitted to the
2 18 electorate until the date of the second special election, as
2 19 set by statute, following the election at which it was
2 20 defeated or the date of the regular school election, whichever
2 21 is the earlier.

2 22 Also, under current law, if a proposition to adopt an
2 23 instructional support program is defeated by the voters, the
2 24 school district board of directors may not take action to
2 25 adopt, by election or otherwise, an instructional support
2 26 program until 120 days have passed following the election at
2 27 which the proposition was defeated. The bill provides that
2 28 following defeat at an election of a proposition to adopt an
2 29 instructional support program, another proposition to adopt
2 30 such a program shall not be submitted to the electorate until
2 31 the date of the second special election, as set by statute,
2 32 following the election at which it was defeated or the date of
2 33 the regular school election, whichever is the earlier.

2 34 The bill takes effect upon enactment.

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